

EXHIBIT B

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE**

**FEMHEALTH USA, INC., d/b/a
CARAFEM,**

Plaintiff,

v.

**RICKEY NELSON WILLIAMS, JR.;
BEVELYN Z. WILLIAMS;
EDMEE CHAVANNES; AT THE WELL
MINISTRIES; OPERATION SAVE
AMERICA; JASON STORMS;
CHESTER GALLAGHER; MATTHEW
BROCK; COLEMAN BOYD; FRANK
LINAM; BRENT BUCKLEY; and AJ
HURLEY,**

Defendants.

Case No. 3:22-cv-00565

DECLARATION OF FRANK “BO” LINAM

Pursuant to 28 U.S.C. § 1746, I, Frank “Bo” Linam, under penalty of perjury declare as follows:

1. I am over the age of eighteen and am competent to make this declaration.
2. I am a member of Operation Save America (OSA). OSA’s mission includes proclaiming the Gospel of Jesus Christ and strengthening families. OSA also helps organize grassroots political campaigns. As part of its mission, OSA hosts regional and national events to help inspire local communities, promote fellowship, share its experience with peaceful grassroots engagement strategies, and educate on the Bible and Constitution. I am also the founder of Hope Beyond Abortion, an organization I started in 2017 to help provide care to mothers and families who choose life, as well as helping those who have had abortions in the past.

3. OSA conducted one of its national events, called “Foundations of Freedom,” in Nashville, Tennessee, between July 23, 2022, and July 30, 2022. The Foundations of Freedom event included talks from OSA leaders and local pastors on topics such as “Building Strong Families in the Modern World” and “How to Share the Gospel and the Message of Life Effectively.” OSA encouraged attendees to bring their entire families, and hosted a cookout with testimony from OSA Youth.

4. OSA also hosted hands-on workshops, where OSA personnel taught best practices for peacefully ministering outside of abortion clinics. As part of this hands-on training, OSA organized outreaches at the carafem abortion clinic as part of the Foundations of Freedom event schedule.

5. OSA proactively met with Deputy Chief Mullins on July 21, 2022, in advance of our Foundations of Freedom event. I personally reviewed the plans with Deputy Chief Mullins, including the location and dates. We also invited Deputy Chief Mullins to attend our meetings where we distributed specific plans for attendees.

6. I attended the outreach near 5002 Crossings Circle, Mt. Juliet, TN on July 26, 2022, along with other members of OSA and Foundations of Freedom attendees. As stated on the OSA website, because we believed the trigger law had already gone into effect and the abortion clinic was closed, we termed the events a “celebration.” See [OSA National Event “Foundations of Freedom”, Nashville, Tennessee July 23rd-30th \(Details TBD\) - Operation Save America](#). It involved praying, singing, distributing literature, and carrying signs near the carafem abortion clinic at 5002 Crossings Circle.

7. During the outreach, OSA leadership learned that carafem was actively scheduling appointments for abortions. OSA believed that this was illegal under Tennessee’s

“trigger” law, which we understood to ban virtually all abortions starting thirty days after *Roe v. Wade* was overturned. we believed that the trigger law was in effect on the day of the outreach (July 26, 2022), as did Deputy Chief Mullins, because the Supreme Court announced its decision in *Dobbs v. Jackson Women's Health Organization* more than thirty days prior, on June 24, 2022.

8. I now understand that Tennessee’s abortion ban will go into effect on August 25, 2022, which is thirty (30) days after the judgment was issued on July 26, 2022, rather than thirty days after the release of the *Dobbs* opinion as OSA leadership initially believed.

9. Nonetheless, on the day of the outreach, we believed that illegal activity may have been occurring at the carefem site. We therefore decided it was prudent to speak with police on the scene to raise our concerns about possible illegal activity in the same building in which the police were stationed.

10. Prior to walking to the building, OSA leadership stressed that we would not enter the building or block either of the two main entrances. OSA leadership also wanted to be sure that no one appeared threatening or intimidating while we spoke with the police. After praying, we crossed the street to request to speak with them.

11. We met with security guards at the door to the building and asked if we could speak with the police officers regarding possible illegal activity occurring within mere feet of them. A security guard told us not to enter the building prior to him calling the officers who were upstairs. We had no intention to enter the building; we approached simply to speak with the police. We remained outside the building as planned. While we were waiting for the officers to meet us, Coleman Boyd and I personally ensured that no one from our group obstructed the entry. In fact, while we spoke, one of the security guards stood in the entryway blocking the path

while an automatic door repeatedly closed on him. I therefore asked the guard to step aside to ensure the entryway was clear when someone approached the door. Coleman Boyd and I also kept watch on our team to ensure that no one was obstructing the entryway. During this time multiple people entered and left the facility through the entryway where we were, as well as through a second, large entryway at the opposite side of the building which was visible through a hallway from where we were standing.

12. After a few minutes, Deputy Chief Mullins came to the door. We relayed our concerns about possible illegal activity occurring just upstairs. Deputy Chief Mullins stated that if abortions were occurring, he would hand the matter over to health authorities or the Tennessee Bureau of Investigations. Deputy Chief Mullins instructed us to wait across the street for him to continue the conversation. We promptly departed and waited for Deputy Chief Mullins across the street.

13. When Deputy Chief Mullins arrived, we reiterated our concerns and asked about the status of the Tennessee abortion law. Deputy Chief Mullins stated that he believed the abortion law was in effect as of Monday (the day prior), and was awaiting clarification from the district attorney. We then asked whether Deputy Chief Mullins would enforce the law if the law was in effect *and* if carafem was, in fact, performing abortions in violation of that law. Deputy Chief Mullins stated that the Tennessee Bureau of Investigations would open an investigation in that case but did not commit to stopping ongoing illegal activity.

14. We never, at any point, threatened violence or harm or obstruction to anyone. Violence is against my personal religious convictions. Additionally, we did not block cars entering the parking lot, obstruct traffic, or enter the building. Further, we never harassed, threatened, or even raised our voices at any person. Rather, our expressive activities occurred on a public sidewalk

or on the public ways where we peacefully exercised our First Amendment rights by praying, singing, holding signs, passing out literature, and speaking to passersby.

15. After the events of July 26, a brief outreach was planned and occurred at carafem the next day (July 27). No other outreaches were originally planned as part of the OSA Foundations of Freedom event at carafem after July 27, as was clearly stated on our website announcing our event. However, as circumstances changed and the week went on, on the evening of July 27 it was decided that a small group would return to carafem on the morning of July 28 for a short while before joining the rest of the group at the capital for a large rally. Deputy Chief Mullins was duly advised.

16. I understand that three people were removed from the building on July 28, two days after we spoke with Deputy Chief Mullins. I learned later that one of the three is named Bevelyn Williams. Ms. Williams and the other two people have no affiliation with OSA. They were not included in any planning, either for the Foundations of Freedom event, or for individual outreaches. In fact, I have never spoken with Ms. Williams, or even met her, nor do I know the other two individuals. Ms. Williams's actions were in no way endorsed, influenced, or sanctioned by OSA.

17. I have been exercising my First Amendments Rights to preach the gospel of Jesus Christ and to protect life for approximately four (4) years, and have never been accused of a violent incident.

18. In fact, for the last two and a half (2.5) years, I have regularly gone to the public sidewalks near the carafem and Planned Parenthood clinics. I am usually outside carafem two or three times a week, where I hold a sign with a message asking "Please let us adopt your baby" and pray. On the rare occasions when someone parks near enough that I can speak to him or her

without raising my voice, I will ask, “Hello, Sir or Madam, my name is Bo and I’m a local pastor. Is there anything we could pray with you about this morning? We would love a chance to speak with you and try to see how we could help you.”

19. If the person does not respond, I will follow up by saying, “I promise I’m not here to be mean to you, we just want to help people and offer prayer and free resources.”

20. If the person does respond and approaches me, I say, “Thank you for coming over! What’s going on in your life that we could pray about?”

21. If it is a mother who admits she has come for an abortion, I tell her, “We are not your enemy, we are here because we care about you and will help you in any way possible.” I then explain that life is a gift from God and encourage her to choose life. I also explain that we will throw a huge baby shower and help with her bills.

22. We have been privileged to provide help to many needy mothers and families. In fact, we are throwing a baby shower in October for one young mother we met outside carafem who decided to keep her baby. Our goal at these showers is to get enough diapers, wipes, clothes, car seat, stroller, crib, bottles, etc. that she would not have to spend any of her own money for the first year of the baby’s life. At one recent shower we had so many gifts given the mom that she could not keep them all because she did not have enough room in her home to hold them all! Attached as Exhibits 1 and 2 are photos of one young mom we met in December 2021 and held a baby shower for. Exhibit 3 is a photo of her baby, Jacari, born in July 2022.

23. Exhibit 4 is a photo of Baby James, who was the first baby saved as a result of our ministry. He is now one year old. We are in continual contact with his mom, Tynyia, who we help out approximately once a month with some type of need. Exhibit 5 is a photo of an ultrasound that an older mother of three dropped by to show me. She was going to abort her next

child because she did not see how she could provide for him or her (she refuses to find out the baby's sex before birth). When we told her we could help, she decided to keep the baby. Exhibit 6 is a photo of two young parents who had no money for furniture once they had moved into a new apartment, paid their security deposit, utilities deposits, and so forth, so I took them to a furniture store and bought them some furniture. The other man in the photo is the owner of the furniture store, who gave us the furniture at cost once he found out why we were there.

24. We are hosting a baby shower in October for a young mom we met outside carafem. The mom and dad, whose names are Ashley and Randy, did not want a lot of "stuff," but instead asked us to help provide money for the baby's college education. So we are not going to give them the usual diapers, clothes, food, and so forth at the shower, but as soon as the baby is born and receives a social security number we will open a 529 plan for a college fund in the baby's name.

25. This lawsuit and the injunction entered against me without notice has had a decided chilling effect upon my exercise of my First Amendment rights. Although I frequently went to the public sidewalk outside carafem alone before this lawsuit, since the filing of this case I have not been back to carafem unless I have someone with me, for fear of more baseless charges. I have routinely organized and led a monthly gathering outside carafem, Gathering for Life, on the third Saturday of every month, at which we sing, pray, share a message from the Bible, and fellowship in a peaceful, non-threatening way. This month, however, I did not hold the gathering, because I did not want to place others at risk of citation or arrest, given the existence of this lawsuit and the injunction entered against us.

26. In addition, the adverse publicity and entry of the injunction against me has hurt my public reputation and consequently the funding for our ministry. Giving is down, and my

phone rang nonstop after news of the injunction was published. The impact is ongoing, and raises questions in my mind as to the real motive behind the filing of this lawsuit.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 25, 2022.

/s/Frank “Bo” Linam
Frank “Bo” Linam